

City of Reading Charter Board

January 16, 2013 – 7:00pm

Penn Room

Members Present: Susan Gibson, John Slifko, Jerry Richter, Elizabeth Stanley

Members Absent: None

Members of Public and Invited Guests: Eric Smith, Board Solicitor
Mr. Don Spatz (Reading Eagle)

I. Administration

- The Board's next meeting is February 5, 2013. Education Session #2 will commence at 5:00 pm in the Penn Room, with meeting to follow.
- The Chair announced there has been no Right to Know requests.
- Ongoing vacancy of one Board seat was discussed. No candidates currently in application process per the Boards knowledge.
- Meeting minutes for January 10, 2013 were reviewed with two recommended corrections. A motion was made to accept the minutes as corrected by Mr. Slifko, 2nd by Ms. Stanley. The motion passed by unanimous verbal vote.

II. Education

- As noted the Charter Board educational session #2 is scheduled for 5:00 pm February 5th in the Penn Room.

III. Advisory

- No current requests.

IV. Enforcement

- The Board Chair announced an Executive Session to deliberate with counsel regarding the Final Opinion and Order of Investigation #34. The Board entered executive session at 7:15 pm and exited executive session at 10:35 pm. After returning to public session the Board Chair announced that during executive session the Board also received advice of counsel regarding the Pennsylvania Sunshine Act and Right to Know law.

- As members of the public were present, the Chair called for public comment prior to Board action on the Final Opinion and Order for Investigation #34. Mr. Spatz requested disclosure of the substantive matters involved in the Final Opinion and Order, stating he was “invoking” his rights under the Sunshine Act. The Chair denied the request by citing the confidentiality provision of the Charter Board Ordinance, which holds in part that the Final Opinion and Order becomes a part of the public record only after the subject has exhausted all appeal rights. Additionally, the Board Solicitor reminded Mr. Spatz of his ability to make open record requests via the Boards Right to Know Policy and Procedure.

After the conclusion of public comment, a motion was made by Mr. Richter, 2nd by Ms. Stanley to adopt and issue the Final Opinion and Order for Investigation #34 as revised. The motion passed by verbal vote, with members Gibson, Stanley and Richter voting affirmatively, and Mr. Slifko voted against the motion.

A motion was then made by Mr. Slifko to allow the issuance of written dissenting opinions by individual board members. The motion failed after not having received a second.

V. Closing

- Meeting adjourned at 10:45 pm.
- At the conclusion of the meeting, Mr. Spatz submitted two written open record requests to the Board Chair. The requests were given to the Board solicitor for follow-up according to the Right To Know Law policy and procedure.

Respectfully Submitted

Susan Gibson, Chair

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